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September 4, 2014

**SENT BY CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Ms. Kathleen H. Johnson, Director, Enforcement Division  
U.S. Environmental Protection Agency  
Attn: Charles Aldred (ENF-2-1)  
75 Hawthorne Street  
San Francisco, CA 94105

Dear Ms. Johnson and Mr. Aldred:

This letter and the related enclosures constitute the response of Werner Enterprises, Inc. ("Werner") to the EPA's letter that Werner received in mid-June of this year. As an initial matter, Werner would like to express its gratitude to Mr. Reich from the Office of Regional Counsel for his professional courtesies in granting Werner additional time to respond to the EPA's requests.

Also, before getting to the substance of Werner's responses, please indulge me in some relevant background information about Werner. As you may or may not know, Werner is one of the larger truckload motor carriers in North America, and recognizes its responsibilities for environmental sustainability and reduction of carbon emissions. Werner has embraced a multitude of green initiatives and has been a leader in the industry in this regard. In the past 5 years alone, Werner has received the following environmental recognitions:

- 2009 – Top 25 Green Supply Chain Partner – Inbound Logistics Magazine
- 2010 – Top 50 Green Supply Chain Partner – Inbound Logistics Magazine
- 2011 & 2012 – Top Green Supply Chain Partner – Inbound Logistics Magazine
- 2011 – Top 25 Green Supply Chain Partner – Food Logistics Magazine
- 2012, 2013 & 2014 – Top Green Provider – Food Logistics Magazine
- 2013 & 2014 – Top 75 Green Supply Chain Partner – Inbound Logistics

In fact, the EPA itself continues to recognize Werner as a true industry leader in freight supply chain environmental performance and energy efficiency. In 2013, the EPA honored Werner with the SmartWay Excellence Award – one of only 55 (out of 3,000+) companies to receive such a distinction, representing the best environmental performers across the country. In the EPA's own words,

SmartWay Excellence Awards recognize high performing partners that are leading the business community to a clean, efficient and more sustainable future for goods movement. The awards honor top truck, intermodal and rail carrier partners that are setting

efficiency benchmarks in how they move products and supplies. Top shipping and logistics partners also are recognized for efficiency, and their actions to reduce freight emissions through effective collaboration, advanced technology and operational practices, a robust system for validating and reporting their SmartWay data, communications and public outreach.

The EPA recently notified Werner that the EPA has again – in 2014 – bestowed the SmartWay Excellence Award on the company, although we have been instructed by EPA not to publicize this information for another 30 days.

Werner's commitment to controlling fuel consumption and pollutants is reflected by its on-going and increasing use of energy-efficient innovations such as diesel-fired heating systems to reduce truck idle time, aerodynamic trucks and trailers, trailer skirts, automated tire inflation systems, weight reduction strategies, speed management systems, and the latest in diesel engine technology.

Through Werner's commitment to controlling excessive fuel consumption and pollutants, the company conserved more than 100 million gallons of fuel from 2007 to 2013 and has reduced its carbon footprint by more than 1 million tons. And finally, Werner continues to increase the use of CNG trucks in its fleet.

In short, our company is proud of our green approach and of continuing to be on the forefront of testing new environmentally friendly technologies.

I would also like to take this opportunity to provide context to some of the data and answers you will find on the enclosed CD. We have uploaded all of the responsive info (where possible) onto the spreadsheet form provided by the EPA. For clarification purposes, Werner has evaluated the requests and is not providing information on activities or operations that are outside the scope of the EPA's requests.

Werner's responses to requests 1 through 9 and 14-15 are on the enclosed spreadsheet, as directed by the EPA's Instruction sheet.

Request 1(f) seeks the "assigned vehicle terminal" for the tractors listed. None of those tractors had an "assigned terminal" – and certainly not one in the state of California. So, we left that column blank.

Request 9 asks whether the listed vehicles were drayage trucks. I would like to explain the answers provided there. For eleven of the listed tractors, we have indicated "Y" (yes) in response to this question. However, that "Y" indicates that those eleven tractors were registered as dray trucks. But, it does not indicate that any of them ever performed dray services in the past 2 ½ years.



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I would like to provide you with some context, against which to compare the handful of tractors listed on the attached spreadsheet. From January of 2012 to the end of June 2014 – a two and a half year period – Werner's tractors traveled a combined 2.3 billion total miles. Of those miles, only 103 million (less than 4.5%) were in California. And, of those miles, as you will see on the attached spreadsheet, less than 1/3 of one million were miles traveled in California by one of the listed trucks. That reflects approximately 0.029% of Werner's total miles in that time period, or 0.6% of Werner's total California miles in that same period.

Of the trucks listed in response to requests 1 through 9, we have confirmed that only three of them remain in Werner's fleet, as of today. More importantly, we have taken every precaution to make sure that those three trucks will not travel in the state of California again while in Werner's ownership. And, as you can see, the mileage of those listed tractors dropped drastically from year to year.

Request 10 seeks a copy of IRP fleet mileage summaries. Werner provides total/fleet-wide mileage numbers to the International Registration Plan. Those miles are total miles and are not broken down on a per-truck basis. If you would like the aggregate miles that we submitted from 2012 to the present, please let me know, and I should be able to get that data to you on a relatively short turn-around.

For request 12, we have included a separate spreadsheet on the enclosed CD, which contains the responsive data.

Finally, as instructed, enclosed you will find a signed Statement of Certification.

I believe this completes the company's responses to all of your requests. Again, we appreciate the additional time granted by the EPA, so that Werner could compile all of the enclosed data and information. Please direct any future inquiries and/or correspondence to my attention. Thank you in advance.

Very truly yours,



Nathan J. Meisgeier  
Senior Counsel  
Werner Enterprises, Inc.

Enclosures (as indicated)

cc: Mr. Daniel Reich, Office of Regional Counsel, EPA Region IX  
Mr. Dave Tripp, Stinson Leonard Street LP

ENCLOSURE 2: Statement of Certification

[This Certification is for signature by the president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or another executive with authority to perform similar policy or decision-making functions of the corporation.]

Werner Enterprises, Inc. is submitting the enclosed documents in response to the U.S. Environmental Protection Agency's ("EPA") request for information, issued pursuant to Section 114(a) of the Clean Air Act, to determine whether the facility is in compliance with the Clean Air Act, including with the federally-approved California Truck and Bus Regulation.

I certify that I am fully authorized by Werner Enterprises, Inc. to provide the above information on its behalf to EPA.

I certify under penalty of law that I have personally examined and am familiar with the statements and information submitted in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true, correct, accurate and complete. I am aware that there are significant penalties for submitting false statements and information, or omitting required statements and information, including the possibility of fines and imprisonment for knowing violations.

Date:

9-4-14

Name (Printed):

Jim Mullen

Signature:

J. Mullen

Title:

Exec. VP & General Counsel